

# LEGISLATIVE UPDATE

May 25, 2012

## Meetings May 29 – June 1

### Tuesday Committee Meetings

9:00 a.m.

House Appropriations Committee, 643 LOB

HB 950 Modify 2011 Appropriations Act

1:00 p.m. – 3:00 p.m.

Senate Committee on Education/Higher Education, 544 LOB

HB 503 Nutrition Stds./All Foods Sold at School

SB 795 Excellent Public Schools Act

### Wednesday Committee Meetings

9:00 a.m.

Senate Committee on Appropriations/Base Budget, 643 LOB

### Thursday Committee Meetings

10:00 a.m.

House Committee on Health and Human Services, 1228 LB

## 2012 Session Deadlines

Drafts	To Bill Drafting By 4:00 PM	Filed in House /Senate By 4:00 PM
Bills recommended by Study commissions	Wednesday, May 16	Wednesday, May 23
Bills Affecting 2012-2013 Budget	Friday, May 18	Tuesday, May 29
Local Bills	Wednesday, May 23	Wednesday, May 30
Bills Affecting State or Local Pension or Retirement Systems	Wednesday, May 23	Wednesday, May 30

## Summary of Key Legislation and Additional Resources

### **Bills that made progress May 21-24:**

The repeal of the prohibition on teacher prepayment is making its way through both chambers. In the House, it is included as a special provision in the budget bill and a separate piece of legislation, **HB 966, Repeal Prohibition on Teacher Prepayment**, sailed through the House Education Committee and passed its second and third reading. In the Senate, it already appears in the proposed committee substitute for SB 795, Excellent Public Schools Act.

After considerable discussion, the House Education Committee gave a favorable report to **HB 965, Broaden Successful AP Participation**. The bill provides funding for all students to take Advanced Placement Exams, for professional development, and for bonuses to teachers based on students' successful completion of AP exams. This comes with a price tag and was not included in the House Education Appropriations Subcommittee budget. Legislators raised concerns about inequities the bonuses could cause among teachers, an interest in more information on how to ensure increased diversity of students taking AP, questions about practices of higher education institutions in accepting AP exam results for course credit, and the need for similar provisions for the International Baccalaureate program. The bill sponsor, Representative Hugh Blackwell, assured members of the committee that their concerns would be considered at its next step in the process, the House Education Appropriations Subcommittee.

The Senate Education Committee briefly discussed **HB 503, Nutrition Standards/All Foods Sold at School**. This is a bi-partisan bill from the 2011 Session. A proposed committee substitute also includes standards for the NC PreK program. It returns standards to what had been in law before last year. This eliminates language that became part of the basis of Superior Court Judge Manning's order last summer that will be heard in the North Carolina Court of Appeals on June 5. The committee will vote on the bill on Tuesday.

Those following issues related to pre-kindergarten and the public schools may also be interested in a meeting of the NC Pre-K Advisory Committee on May 30 from 9:00-12:00 at 319 Chapanoke Road (Room 300) in Raleigh. It will consider recommendations for the rate structure for public schools, head start, and private providers. Preliminary recommendations provide for giving public schools considerably less funding than the private providers for their slots. The agenda is available here <http://legislative.ncpublicschools.gov/resources-for-legislation/2012/20120525-Pre-K%20Agenda.pdf>.

Most of the hour-long meeting of the Senate Education Committee was devoted to a review of **SB 795, Excellent Public Schools Act**. The committee will take up the bill again on Tuesday in a two-hour session with the intent of voting on the bill after consideration of amendments to the bill. Committee members have until 8:00 a.m. on Monday to submit amendments to the proposed committee substitute that was made available today. The proposed committee substitute makes some significant changes to the original bill. A listing of those changes is available at <http://legislative.ncpublicschools.gov/resources-for-legislation/2012/20120525-explantation-of-changes.pdf>. In materials submitted by the State Board of Education and the Department of Public Instruction, the overall recommendations were to encourage deliberation of such an extensive bill in the long session and to maintain a focus on budget priorities addressing the severe shortfall in funding that public schools face this coming year. This document also has more specific suggestions for how the bill can be aligned with other state reforms already underway, including Race to the Top funded initiatives. [Here is a link to the recommendations](#).

Another bill of interest for state agencies is **SB 810, Regulatory Reform Act of 2012**. The bill's committee substitute received a favorable report in the Senate Commerce Committee and was adopted. The bill is calendared for May 29, 2012.

The listing of bills below identifies new filings. Of particular interest for public education is **HB 1104, Scholarship Funding Corporate Tax Credit**. This creates a tax credit for corporations making donations to fund education scholarships. More information and the perspective of State Board Chairman Bill Harrison is available at <http://www.ncpublicschools.org/stateboard/>.

## **The Budget –**

The House Education Appropriations Subcommittee produced a budget for public education, community colleges, and the University of North Carolina on Thursday. For public education, it focused on addressing the additional cuts in funding that schools were facing in the biennial budget and through the loss of temporary funding of state positions through the federal EduJobs funding. The full report and special provisions are available on the General Assembly's website through this link - [House Education Appropriations Budget Documents](#).

Philip Price, provides the following explanation:

From the Committee Report:

- LEA adjustment reduced by a total of \$333m (\$106m recurring and \$227m non-recurring). Therefore, 2012-13 LEA adjustment will be \$171 million, down from the \$504 million expected.
- The following budgeted items were reduced to reflect revised projections - ADM, Average Teacher Salaries, and Liability Insurance. (\$93m)
- EVAAS receives \$430K to support a direct login for every EOG/EOC teacher and an ability to export data to a spreadsheet for analysis.
- Teaching Fellows funding restored to \$3.3 million.
- Governor's School receives \$200K.
- Teach for America receives \$900K non-recurring, in addition to the \$900K recurring appropriation.
- Textbooks reduced additional \$4.0 million, leaving \$23.1 million 2012-13.
- 5 Regional Military Counselors (2 Onslow and 3 Cumberland) \$315K (Amendment 6).

In Special Provisions:

- The Teaching Fellows program is reinstated.
- The Prohibition on Teacher Prepayment is repealed.
- The number of instructional days is reduced back to 180 with five days of protected teacher workdays. 7 required
- NCVPS can now be funded through:
  - NCVPS allotment
  - NCVPS enrollment reserve
  - Local funds
  - Federal funds
  - Special State Reserve Funds for Children and Youth with Disabilities (Amendment 7)
  - ADM Contingency Reserve (Amendment 7)
- Clarifying language for Cooperative Innovative High Schools – Provision includes several language changes, specifically for the funding of tuition and funding for CIH schools.
- Local boards now have the authority to set policy around 11- or 12-month instructional personnel in year-round schools taking vacation leave while school is in session. Local funds shall be used to fund the associated substitute pay.

The full House Appropriations Committee will meet on Tuesday at 9:00. No doubt, work will be going on over the holiday weekend so you are encouraged to contact your legislators if you have opinions to express on the budget. Members of the House Appropriations Committee are listed on the committee website,

<http://www.ncleg.net/gascripts/Committees/Committees.asp?sAction=ViewCommittee&sActionDetails=House+Standing+6>.

## **Listing of Bills with Impact on Students and Public Schools**

### **HOUSE BILLS**

#### **HB 503 Nutrition Standards/All Foods Sold At School** (Insko, LaRoque)

An Act directing the State Board Of Education to adopt rules for other food sale operations on the school campus and to require charter schools participating in the national school lunch program and local boards of education to implement these rules by the 2012-2013 school year.

*6/6/2011 Referred to the Senate Committee on Education/Higher Education.*

#### **HB 946 (SB 871) Restore Funding for Teaching Fellows Program** (McLawhorn, Lucas, Bell, Tolson)

An Act to restore funding for the Teaching Fellows Program.

- This would appropriate \$3,475,000 to restore funding.

*5/17/2012 Referred to the House Committee on Appropriations.*

#### **HB 964 No Liability for Private Schools** (Blackwell, Holloway, Johnson, Jordan)

An Act to provide that private colleges and universities, -nonpublic schools, and the North Carolina Independent Colleges and Universities are not liable for a breach of confidentiality caused by the act or omission of a state agency, local school administrative unit, community college, or constituent institution of the University Of North Carolina, as recommended by the [House Select Committee on Education Reform](#).

- As explained in the committee report, this bill is intended to address liability concerns regarding sharing information as a part of the PreK to 20 Data System.

*5/17/2012 Referred to the House Committee on Education.*

#### **HB 965 Broaden Successful AP Participation** (Blackwell, Holloway, Johnson, Jordan)

An Act to broaden successful participation by students in advanced placement courses and to create performance incentives for schools and teachers for student excellence in advanced placement courses, as recommended by the [House Select Committee on Education Reform](#).

- The committee report identifies the cost for implementation at \$11,660,921.

*5/23/2012 Committee substitute received a favorable report in the House Education Committee, re-referred to the House Appropriations Education Subcommittee.*

#### **HB 966 Repeal Prohibition on Teacher Prepayment** (Holloway, Johnson, Blackwell, Hilton) (See also companion bill, SB 823)

An Act to repeal the prohibition on teacher prepayment provision in the School and Teacher Paperwork Reduction Act of 2011, as recommended by the [Joint Legislative Education Oversight Committee](#).

- This would repeal section 5 of SL 2011-379 (H720). The repeal would return salary payment requirements in G.S. 115C-302.1(b) to language existing prior to the 2011 Session.

*5/23/2012 Received a favorable report in the House Education Committee, placed on House calendar for 5/24/2012. Passed 2<sup>nd</sup> and 3<sup>rd</sup> reading in the House.*

#### **HB 967 Yadkin Valley Career Academy Funding** (Dockham)

An Act to provide funding for the Yadkin Valley Regional Career Academy.

- This would appropriate \$307,650 for a school run by Davidson County Schools, Lexington City Schools and Thomasville City Schools.

*5/17/2012 Referred to the House Committee on Appropriations.*

#### **HB 974 Eliminate Student Cost Reduced-Price Breakfast** (LaRoque, Sanderson)

An Act to appropriate funds to the Department of Public Instruction for the Child Nutrition Program to eliminate the student cost for reduced-price breakfast in order to increase breakfast participation, as recommended by the [House Select Committee on Childhood Obesity](#).

- This would appropriate \$1,700,000 to supplement federal child nutrition funds.

*5/17/2012 Referred to the House Committee on Appropriations.*

[HB 976 Task Force & Work Group on PE and Fitness](#) (LaRoque, Sanderson)

An Act to establish the Task Force on Physical Education and Physical Activity in Schools and to direct the State Board of Education to coordinate a work group to examine the current status of data collection from fitness testing conducted in kindergarten through eighth grade, as recommended by the [House Select Committee on Childhood Obesity](#).

5/17/2012 Referred to the House Committee on Education.

[HB 977 School Mealtime](#) (LaRoque, Sanderson)

An Act to direct the State Board of Education and the Department of Public Instruction to determine optimal seat time for students eating meals in public schools and to explore mealtime options, as recommended by the [House Select Committee on Childhood Obesity](#).

5/17/2012 Referred to the House Committee on Education.

[HB 978 Funds for Child Nutrition](#) (LaRogue, Sanderson)

An Act to appropriate funds to the Department of Public Instruction for the Child Nutrition Program to assist child nutrition programs in meeting nutrition standards, as recommended by the [House Select Committee on Childhood Obesity](#).

- This would appropriate \$20,000,000.

5/17/2012 Referred to the House Appropriations Subcommittee on Education.

[HB 984 Restore Funding to NCCAT](#) (Rapp)

An Act to restore funding for the North Carolina Center for the Advancement of Teaching.

- This would appropriate \$3,000,000.

5/17/2012 Referred to the House Committee on Appropriations.

[HB 985 Driver Education Fee Paid When Getting Permit](#) (Gillespie)

An Act to collect a fee for Driver Education when applying for a limited learner's permit.

- This bill would add a new \$15 fee for all learner's permits and an additional \$45 fee to be credited to the costs of the driver education program provided through the public schools. This would seem to be an alternative approach to charging students at the time the time that they take the course.

5/21/2012 Passed 1<sup>st</sup> Reading, referred to the House Committee on Finance.

[HB 995 Tax Adjustment Plan](#) (Owens)

An Act to increase the sales tax by a penny, reduce the corporate income tax rate by one percent, increase the personal exemption for personal income tax, give state employees and teachers a two percent pay raise, and provide additional funds for education.

5/21/2012- Passed 1<sup>st</sup> reading, referred to the House Committee on Finance, if favorable, Appropriations.

[HB 998 Funds to Reduce Class Size in K-3](#) (Glazier, M. Alexander, Gill, Rapp)

An Act to appropriate funds to reduce class size in kindergarten through third grade.

- This would appropriate \$92,885,877.

5/21/2012 Passed 1<sup>st</sup> reading, referred to the House Committee on Appropriations.

[HB 999 Restore LEA Flexibility Adjustment Funding](#) (Glazier, Michaux, Rapp, McLawhorn)

An Act to restore public school flexibility adjustment funding.

- This would appropriate \$503,067,940 to remove the "negative reserve" - also referred to as the discretionary cut - that requires school districts to make budget cuts at the local level and return the funds to the state.

5/21/2012 Passed 1<sup>st</sup> reading, referred to the House Committee on Appropriations.

[HB 1002 Bill of Rights/Deaf/Hearing Impaired](#) (Blackwell, Holloway, Jordan, Gill)

An Act establishing a bill of rights for children who are deaf or hearing impaired, as recommended by The House Select Committee on Education Reform.

- This would create additional rights and processes different from what already is provided in federal and state laws related to children with disabilities.

5/21/2012 Passed 1<sup>st</sup> reading, referred to the House Committee on Judiciary Subcommittee A.

[HB 1003 \(SB 842\) Child Nutrition Program Solvency and Support](#) (Howard)

An Act (1) to prohibit local school administrative units from assessing indirect costs to a Child Nutrition Program unless the program is financially solvent and (2) to appropriate funds to promote optimal pricing for child nutrition program foods and supplies, as recommended by [The Joint Legislative Program Evaluation Oversight Committee](#) based on recommendations from the Program Evaluation Division.

- This would appropriate \$80,000 to support the North Carolina Procurement Alliance.

*5/21/2012 Passed 1<sup>st</sup> reading, referred to the House Committee on Health and Human Services.*

[HJR 1004 Reform Workforce Development](#) (Howard)

A Joint Resolution expressing the opinion of the General Assembly that the local provision of Workforce Investment Act Services should be streamlined by realigning local workforce development areas with the boundaries of councils of governments established pursuant to G.S 160a-470, as recommended by the Program Evaluation Division and endorsed by the [Joint Legislative Program Evaluation Oversight Committee](#).

*5/21/2012 Passed 1<sup>st</sup> reading, referred to the House Committee on Commerce and Job Development.*

[HB 1018 Yadkin Valley Career Academy](#) (Dockham)

An Act to authorize approval of the Yadkin Valley Regional Career Academy as a Cooperative Innovative High School for the 2012-2013 school year.

*5/22/2012 Passed 1<sup>st</sup> reading in the House, referred to the House Committee on Education.*

[HB 1030 \(SB 877\) Accountability for Taxpayer Investment Act](#) (Blackwell, Avila, Hager)

An Act to require state agencies and certain non-state entities to develop, implement, and maintain information systems that provide uniform, program-level accountability information regarding the programs operated by those agencies, as recommended by the LRC Committee on Efficiencies in State Government.

*5/22/2012 Passed 1<sup>st</sup> reading, referred to House Committee on Finance.*

[HB 1031\(SB 878\) Smarter Gov. Business Intelligence Initiative](#) (Blackwell, Avila, Hager)

An Act to establish enterprise-wide business intelligence as a key component of all state governmental operations in order to maximize data integration and analytics, thereby yielding more efficient government and advancing innovation in North Carolina, as recommended by the Legislative Research Commission Study Committee on Efficiencies in State Government.

*5/22/2012 Passed 1<sup>st</sup> reading, referred to the Committee on Commerce and Job Development.*

[HB 1042 \(SB 879\) Establish Efficiency & Cost Savings Commission](#) (Blackwell, Avila, Hager, Crawford)

An Act to establish the Joint Legislative Efficiency And Cost Savings in State Government Study Commission, as recommended by the LRC Committee on Efficiencies in State Government.

*5/23/2012 Passed 1<sup>st</sup> reading in the House, referred to the House Committee on Rules, Calendar, and Operations of the House.*

[HB 1045 Salary Increase for School Employees](#) (Glazier, Rapp, McLawhorn, Carney)

An Act to increase the salaries of public school employees.

*5/23/2012 Passed 1<sup>st</sup> reading in the House, referred to the House Committee on Appropriations.*

[HB 1046 Funds for Student 2 Student Initiative](#) (Glazier, Hamilton, Martin, Lucas)

An Act to appropriate funds for the Student 2 Student Initiative.

*5/23/2012 Passed 1<sup>st</sup> reading in the House, referred to the House Committee on Appropriations.*

[HB 1056 \(SB 834\) Partnership for Children Participant Records](#) (Burr, Dollar)

An Act to limit access to identifying information of minor participants in programs funded by the North Carolina Partnership for Children or other local partnerships, as recommended by the Joint Legislative Oversight Committee on Health and Human Services

*5/23/2012 Passed 1<sup>st</sup> reading in the House, referred to the House Committee on Health and Human Services.*

[HB 1058 Reform Workforce Development](#) (Howard)

An Act initiating reform of the Workforce Development Laws of North Carolina, modifying the composition of the North Carolina Commission on Workforce Development, and establishing the Joint Legislative Workforce



Development System Reform Committee, as recommended by the Joint Legislative Program Evaluation Oversight Committee based on recommendations from the Program Evaluation Division.

*5/23/2012 Passed 1<sup>st</sup> reading in the House, referred to the House Committee on Finance.*

[HB 1063 Excuse School Day for Johnston Co. School](#) (Langdon)

An Act to give the Johnston County Board of Education additional flexibility with regard to instructional time lost at McGee's Crossroads Elementary School.

*5/23/2012 Passed 1<sup>st</sup> reading in the House, referred to the House Committee on Education.*

[HB 1065 Use Moore School Buses for 2012 US Open](#) (Boles, Hackney)

An Act to allow the Moore County Board of Education to (i) permit the use of public school buses to serve the transportation needs of the 2014 U.S. Open Golf Tournament and (ii) begin the 2013-2014 school year one week earlier.

*5/23/2012 Passed 1<sup>st</sup> reading in the House, referred to the House Committee on Education.*

[HB 1071 Wake County School Board Organizational Meeting](#) (Gill, Ross, Murry, Jackson)

An Act to provide for the date for the organizational meeting of the Wake County Board of Education to be governed by general law.

*5/23/2012 Passed 1<sup>st</sup> reading in the House, referred to the House Committee on Government.*

[HB 1074 Stop Waste, Fraud, and Abuse in Govt. Act.](#) (Moffitt)

An Act to make changes to the statutes governing the Teachers' and State Employees' Retirement System, the Local Governmental Employees Retirement System, and the Disability Income Plan of North Carolina to enhance the operation of the medical board; to establish guidelines for fraud investigations that will enhance the Department of State Treasurer's capability to prevent and detect fraud, waste, and abuse; to create a rebuttable presumption of fraud in the average final compensation calculation; and to make it a Class 1 misdemeanor to fraudulently receive the retirement benefit of a deceased disability retiree at least two months after the retiree's death.

*5/24/2012 Passed 1<sup>st</sup> reading in the House, referred to the House Committee on State Personnel, if favorable, Finance.*

[HB 1085 State Health Plan/Statutory Changes](#) (Dollar)

An Act to, for the State Health Plan for Teachers and State Employees, which covers retirees within the Retirement System, (1) amend the definition of "dependent child" in order to comply with the affordable care act, (2) limit enrollment without a qualifying event to the annual enrollment period, (3) repeal the optional program of long-term care benefits, and (4) make a clarifying change related to coinsurance.

*5/24/2012 Passed 1<sup>st</sup> reading in the House, referred to the House Committee on State Personnel, if favorable, Finance.*

[HB 1094 Continue Local Food Advisory Council](#) (Bradley, Dixon)

An Act to rename the North Carolina Sustainable Local Food Advisory Council as the North Carolina local food advisory council and to extend the sunset on the law establishing the council, as recommended by the House Select Committee on Agricultural Regulations.

*5/24/2012 Passed 1<sup>st</sup> reading, referred to the House Committee on Agriculture.*

[HB 1096 Simplify School Beverage Contract Bids](#) (Sanderson, LaRoque)

An Act to save money by removing local school administrative units from the separate bid requirements for juice and water, as recommended by the House Select Committee on Childhood Obesity.

*5/24/2012 Passed 1<sup>st</sup> reading in the House, referred to the House Committee on Education.*

[HB 1097 Fund Child Nutrition Salary & Benefit Costs Inc.](#) (Sanderson, LaRoque)

An Act to appropriate funds to the Department Of Public Instruction to offset the cost of salary and benefit increases required by the state for child nutrition personnel in local school administrative units, as recommended by the House Select Committee on Childhood Obesity.

*5/24/2012 Passed 1<sup>st</sup> reading in the House, referred to the House Committee on Appropriations Subcommittee on Health and Human Services.*

[HB 1098 Continue the Sustainable Local Food Advisory](#) (Sanderson, LaRoque)

An Act to continue the work of the sustainable local food advisory council, as recommended by the House Select Committee on Childhood Obesity.

5/24/2012 Passed 1<sup>st</sup> reading, referred to the House Committee on Health and Human Services.

[HB 1099 Support Procurement & Farm to School/Funds](#) (Sanderson, LaRoque)

An Act to reduce child nutrition program food costs by encouraging participation in the North Carolina Procurement Alliance and by appropriating funds for administrative support for the procurement alliance; and to encourage use of the farm to school program and appropriate funds for child nutrition program equipment to encourage preparation and consumption of locally grown fruits and vegetables, as recommended by The House Select Committee On Childhood Obesity.

5/24/2012 Passed 1<sup>st</sup> reading, referred to the Committee on Agriculture, if favorable, Appropriations.

[HB 1104 Scholarship Funding Corporate Tax Credit](#) (Stam, Brisson, Hager, Brandon)

An Act to create a tax credit for corporations making donations to fund education scholarships.

5/24/2012 Passed 1<sup>st</sup> reading, referred to the House Committee on Education, if favorable, Finance.

[HB 1112 \(SB 874\) Arts Education as a Graduation Requirement](#) (Carney, Johnson, Glazier, Adams)

An Act directing the State Board Of Education to require one arts education credit for graduation from high school, as recommended by the Arts Education Commission.

5/24/2012 Passed 1<sup>st</sup> reading in the House, referred to the House Committee on Education, if favorable Appropriations.

[HB 1113 Implementation of Comprehensive Arts Educ.](#) (Carney, Johnson, Glazier, Adams)

An Act directing local school administrative units to implement a comprehensive arts education plan, as recommended by the Arts Education Commission.

5/24/2012 Passed 1<sup>st</sup> reading in the House, referred to the House Committee on Education, if favorable Appropriations.

[HB 1119 LEAs Required to Enhance Arts Education](#) (Johnson, Carney)

An Act directing local school administrative units and Public Schools in North Carolina to enhance their arts education programs, as recommended by the Arts Education Commission.

5/24/2012 Passed 1<sup>st</sup> reading in the House, referred to the House Committee on Education.

[HB 1125 Teen Dating Violence Prevention Act](#) (Horn)

An Act to provide for the education of North Carolina high school students about teen dating violence and abuse.

5/25/2012 Passed 1<sup>st</sup> reading, referred to the House Committee on Education.

[HB 1126 Repeal Increase in Instructional Days](#) (Horn)

An Act to repeal the law increasing the number of instructional days in the public schools.

5/25/2012 Passed 1<sup>st</sup> reading, referred to the Committee on Education.

[HB 1146 Make Disable Child Education Tax Credit Refundable](#) (Stam, Randleman, Jones, Jordan)

An Act to make the individual income tax credit for children with disabilities who require special education refundable.

5/24/2012 Filed.

## SENATE BILLS

[SB 582 Authorize Indian Gaming/Revenue](#) (Apodaca, Davis, Nesbitt)

An Act to authorize additional Class III gaming on Indian lands pursuant to a Tribal-State Gaming Compact, to create the Indian Gaming Education Revenue Fund, and to appropriate funds.

- This would provide the necessary authorizing legislation for the First Amended & Restated Tribal State Compact entered into by Governor Perdue and the Eastern Band of Cherokee Indians.

5/21/2012 Passed 1<sup>st</sup> reading in the House, referred to the House Committee on Appropriations.



[SB 795 Excellent Public Schools Act](#) (Apodaca, Berger, Tillman)

An Act to make changes to improve K-3 literacy; provide literacy volunteer leave time; assign school performance grades; maximize instructional time; adjust school calendar start and end dates; fund five additional instructional days within the existing school calendar; establish an NC Teacher Corps; strengthen teacher licensure requirements; provide proof of state-funded liability insurance; establish plans for pay for excellence; end tenure; and eliminate public financing for the Office Of Superintendent of Public Instruction.

- This extensive reform package was filed by President Pro Tempore Berger when the General Assembly returned during the interim for a special session on April 23. It is on the agenda for the Senate Education Committee on Education/Higher Education for Wednesday, May 23. It would appropriate the following: \$34,087,650 for early literacy and \$11,350,000 for additional five instructional days (\$1,200,000 for noninstructional support personnel and \$10,150,000 for transportation).

*4/25/2012 Referred to the Senate Committee on Education/Higher Education.*

[SB 803 Retirement Administrative Changes](#) (Stevens)

An Act to make changes to the administration of the state retirement systems.

*5/17/2012 Referred to the Committee on Pensions & Retirement and Aging.*

[SB 804 Retirement Technical Corrections](#) (Stevens)

An Act to make technical and conforming changes to statutes affecting the state retirement systems.

*5/17/2012 Referred to the Committee on Pensions & Retirement and Aging.*

[SB 810 Regulatory Reform Act of 2012](#) (Rouzer, Brown, Davis)

An Act to (1) reestablish the Joint Legislative Administrative Procedure Oversight Committee; (2) make various technical and clarifying changes to the Administrative Procedures Act; (3) extend the effective date for changes to final decision-making authority in certain contested cases; (4) limit the period during which records of unclaimed property must be maintained; (5) require agencies to give written notice before auditing or examining a business; (6) clarify that the discharge of waste into waters of the state does not include the release of air contaminants into the outdoor atmosphere; (7) authorize rather than require the commission for public health to adopt rules for the testing of water from new drinking water wells for certain volatile organic compounds; (8) direct the Department of Environment and Natural Resources to track and report on permit processing times; (9) delay the effective date for compliance with wading pool fencing requirements from July 1, 2012, to January 1, 2013; and (10) direct the Commission for Public Health to amend the rules governing the duration of permits for sanitary landfills and the period in which those permits are reviewed, as recommended by the Joint Regulatory Reform Committee.

- This legislation is followed for its impact on the Department of Public Instruction and rule-making requirements.

*5/24/2012 The committee substitute received a favorable report in the Senate Commerce Committee and was adopted, the bill is calendared to 5/29/2012.*

[SB 815 Reform Workforce Development](#) (Hartsell)

An Act initiating reform of the workforce development laws of North Carolina, modifying the composition of the North Carolina Commission on Workforce Development, and establishing the Joint Legislative Workforce Development System Reform Committee, as recommended by the [Joint Legislative Program Evaluation Oversight Committee](#) based on recommendations from the Program Evaluation Division.

- This legislation seeks common performance measures for workforce development programs across state agencies.

*5/21/2012 Passed 1<sup>st</sup> reading, referred to the Senate Committee on Commerce.*

[SB 823 Repeal Prohibition on Teacher Prepayment](#) (Tillman, Preston, Soucek) (See also companion bill, H966)

An Act to repeal the prohibition on teacher prepayment provision in the School and Teacher Paperwork Reduction Act of 2011, as recommended by the [Joint Legislative Education Oversight Committee](#).

- This would repeal section 5 of SL 2011-379 (H720). The repeal would return salary payment requirements in G.S. 115C-302.1(b) to language existing prior to the 2011 Session.

*5/21/2012 Passed 1<sup>st</sup> reading, referred to the Senate Committee on Education, if favorable, referred to the Appropriations/Base Budget Committee.*

[SB 842 \(HB 1003\) Child Nutrition Program Solvency and Support](#) (Hartsell)

An Act (1) to prohibit local school administrative units from assessing indirect costs to a Child Nutrition Program unless the program is financially solvent and (2) to appropriate funds to promote optimal pricing for child nutrition program foods and supplies, as recommended by [The Joint Legislative Program Evaluation Oversight Committee](#) based on recommendations from the Program Evaluation Division.

- This would appropriate \$80,000 to support the North Carolina Procurement Alliance.

*5/22/2012 Passed 1<sup>st</sup> reading, referred to the Senate Committee on Health Care.*

[SB 871 \(HB 946\) Restore Funding for Teaching Fellows Program](#) (Purcell)

An Act to restore funding for the Teaching Fellows Program.

- This would appropriate \$3,475,000 to restore funding.

*5/23/2012 Passed 1<sup>st</sup> reading, referred to the Senate Committee on Rules and Operations of the Senate.*

[SB 874 \(HB 1112\) Arts Education as a Graduation Requirement](#) (Brunstetter)

An Act directing the State Board Of Education to require one arts education credit for graduation from high school, as recommended by the Arts Education Commission.

*5/23/2012 Passed 1<sup>st</sup> reading, referred to the Senate Committee on Education/Higher Education.*

[SB 877 \(HB 1030\) Accountability for Taxpayer Investment Act](#) (Hise, Soucek)

An Act to require state agencies and certain non-state entities to develop, implement, and maintain information systems that provide uniform, program-level accountability information regarding the programs operated by those agencies, as recommended by the LRC Committee on Efficiencies in State Government.

*5/24/2012 Passed 1<sup>st</sup> reading, referred to the Senate Committee on Program Evaluation.*

[SB 878 \(HB 1031\) Smarter Gov. Business Intelligence Initiative](#) (Hise, Soucek, Brock)

An Act to establish enterprise-wide business intelligence as a key component of all state governmental operations in order to maximize data integration and analytics, thereby yielding more efficient government and advancing innovation in North Carolina, as recommended by the Legislative Research Commission Study Committee on Efficiencies in State Government.

*5/24/2012 Passed 1<sup>st</sup> reading, referred to the Senate Committee on Program Evaluation.*

[SB 879 \(HB 1042\) Establish Efficiency & Cost Savings Commission](#) (Hise, Soucek)

An Act to establish the Joint Legislative Efficiency And Cost Savings in State Government Study Commission, as recommended by the LRC Committee on Efficiencies in State Government.

*5/24/2012 Passed 1<sup>st</sup> reading, referred to the Senate Committee on Program Evaluation.*

[SB 898 Bear Grass School Property Conveyance](#) (Jenkins)

An Act to require the Martin County Board Of Education to convey the Bear Grass School property to the Town of Bear Grass on a lease-to-purchase basis for specified consideration.

*5/24/2012 Filed*

**Contact Information:**

Ann McColl  
Legislative Director  
(919) 807-4035 office  
(919) 610-5910 cell  
[ann.mccoll@dpi.nc.gov](mailto:ann.mccoll@dpi.nc.gov)

Loretta Peace-Bunch  
Legislative Assistant  
919-807-3403 office  
[Loretta.Peace-Bunch@dpi.nc.gov](mailto:Loretta.Peace-Bunch@dpi.nc.gov)